GOVERNMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute :—Industrial Dispute between the workmen and the management of the Sulegeri Munisami and Sons, Chickpet, Bangalore.

Award of the Additional Industrial Tribunal, Bangalore—Published.

Read the following papers :

(i) Letter No.A. I. T. No.724-25/67-68, dated 25th November 1967 from Sri V. C. Ramachandran, Presiding Officer, Additional Industrial Tribunal, Bangalore.

BEFORE THE ADDITIONAL INDUSTRIAL TRIBUNAL IN MYSORE, BANGALORE.

Dated 25th November 1967.

PRESENT

Sri V. C. Ramachandran, B.A., B.Sc., A.R.C.S., Bar-at-Law,
... *Presiding Officer.*

A. I. D. No. 10 of 1967.

The Workmen of the Sulegeri Munisami and Sons, Chickpet, Bangalore ... *I Party*

Vs.

The Management of the Sulegeri Munisami and Sons, Chickpet, Bangalore ... *II Party*.

APPEARANCES.

For the 1st Party.—Sri A. Venkatram, President, Bangalore General Labour Union, Bangalore.

For the 2nd Party.—Sri R. A. Kalburgi, B.A., (HONS) B L, Advocate, No.2, Nehrunagar, Bangalore.20

Reference

(G. O. No. LMA 47 LLD dated 23rd February 1967)

AWARD

The Government of Mysore have referred an Industrisl dispute by their Order No LMA 47 LLD 67 dated 23rd February 1967 between the workmen and the management of Salegeri Munisami and Sons, Chickpet, Bangalore-2, under Section 10 (1) (d) of the Industrial Disputes, act 1947. (Central Act XIV of 1947) for adjudication by this Tribunal. The points of dispute are as follows:—

I. "Are the workers employed under M/s. Sulegeri Munisami and Sons No. 268, Chickpet, Bangalore-2, justified in demanding the following benefits ?

(i) Increase by 20 present in their present wages,

(ii) Dearness Allowance at the rate of Rs. 50 per month,

(iii) Grant of 10 days paid Casual Leave in a year.

If not, what are alternative benefits the workers are entitled to ?

II. "Is the Management of M/s. Sulegeri Munisami and Sons, No. 268, Chickpet, Bangalore-2, justified in dismissing the services of Sri Gangadharasa ?"

If not, what is the relief the Workman is entitled to ?

2. The II Party *viz.*, The Management of the Sulegeri Munisami and Sons, manufacturer, Fuse Wire, Tinned Copper wires, Gold Thread ribbons etc. Employing about 25 workers. The workers issued a charter of demands to the II party in respect of revision of wages D. A., Bonus, leave facilities, etc. The management retrenched the workers and dismissed some of them and no settlement could be reached. The I Party workmen have sought for increase of wages by 20 per cent and Dearness Allowance at the rate of Rs. 50 per month and the other benefits such as bonus, leave facilities, holidays wages, uniforms etc. One of the dismissed worker who subsequently died late Gangadhar Sa was an active member of the Union and he was dismissed on account of his Trade Union activities. No charge sheet was served on him and no enquiry was conducted. The I Party prayed for revision of the service conditions and also for reinstating Gangadhar Sa. Gangadhar Sa, subsequently died and therefore, the question of reinstatement does not arise.

3. The claim of the workmen was resisted by the Management on various grounds. The II Party submits that there are only four workmen working at present and the conditions of business is most unsatisfactory and critical and they have to retrench most of the workmen due to shortage of raw materials and financial difficulties. They had increased the wages and the Dearness Allowance payable to them and they are not in a position to pay a separate Dearness Allowance due to their financial incapacity. They pray that the Reference be rejected.

4. After some evidence was recorded, both the Parties have filed a Memorandum of Settlement before this Tribunal. According to that settlement, a lumpsum amount of Rs. 1,705 as retrenchment compensation was paid and in addition, the II Party agreed to pay Rs. 100 to the family of the deceased Gangadhar Sa as *ex-gratia* payment. In view of that settlement, the I Party agreed to not to press the Reference, and prayed that an Award may be passed in terms of the Settlement.

5. In view of the fact that the Factory has only four workmen who are not parties to the reference and the I Party have been sufficiently compensated and the family of the deceased Gangadhar Sa being paid some amount, the settlement in my view seems to be fair and reasonable in the circumstances of the case. I, therefore, accept the settlement between the parties and pass the following Award :—

The Reference to this Tribunal is rejected in view of the settlement between the Parties a copy of which is annexed hereto.

There will be no order as to costs.

V. C. Ramachandran,
Presiding Officer,
Additional Industrial Tribunal,
Bangalore.

25-11-67

ANNEXURE.

BEFORE THE HON'BLE ADDITIONAL INDUSTRIAL TRIBUNAL AT BANGALORE.

Ref. No. A. I. D. 10 of 1967

I Party	*II Party*
The workmen of Sulegeri Munisami and Sons, Factory represented by General Secretary, Bangalore General Labour Union.	The Management of M/s. Sulegeri Munisami and Sons Factory, by its partner Sri S. Munisamy.

Both the parties beg to file the following Joint Memo of Settlement :

1. That the 2nd Party Management in Reference No. 64 of 1966 in the Labour Court at Bangalore and in the above case have submitted that there are only FOUR workmen working at present, in their factory. The said four workmen are not members of the 1st party Union. Further the 2nd party has paid to the I Party Rs. 1,705 (Rupees One Thousand Seven Hundred Five only) as retrenchment compensation in Reference No. 64 of 66 before the Hon'ble Labour Court at Bangalore on 13th November 1967.

2. In addition to the above, the 2nd Party Management shall pay Rs. 100 (Rupees One Hundred only) to the family of deceased Sri Gangadharasa as *ex-gratia* payment.

In view of the above terms of settlement the 1st party hereby agrees not to press the above reference.

Both the parties pray that an Award be passed in the above terms.

Dated 14th November 1967, at Bangalore.

On behalf of the First Party :	On behalf of the Second Party
Sd. Allampalli Venkataram	Sd. S. Munisami
Sd. S. Krishnaiah,	Sd, R. A. Kalburgi,
Advocate for the I Party	Advocate for the II Party

Signed before me.

Sd. G. L. Atar

Manager,
IPPV, Industrial Tribunal,
Bangalore.

"True Copy"

V. C. Ramachandran,

Presiding Officer,
Addl. Industrial Tribunal,
Bangalore.

ORDER

Bangalore, dated the 30th November 1967.

S. J. 2372.—WHEREAS by State Government Order No. LMA 47 LLD 67, dated 23rd February 1967, the Industrial Dispute between the Workmen and the Management of the Sulegeri Munisami and Sons, Chickpet, Bangalore was referred to the Additional Industrial Tribunal, Bangalore for adjudication;

AND WHEREAS the Additional Industrial Tribunal, Bangalore has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette*.

[No. LMA 47 LLD 67.]

By Order and in the name of the Governor of Mysore,

1585 G. G. PUROHIT, *Under Secy.*